

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

**NANCY ACITELLI,
a resident of North Carolina,**

Plaintiff,

vs.

**ATLANTIC HEATING & COOLING,
INC., d/b/a Atlantic Heating & Cooling of
Horry, Inc., a South Carolina Corporation,
and**

**JAMES D. SHEPHERD, a resident of
South Carolina, individually and as an
employee and/or agent of Atlantic Heating
& Cooling, Inc.,**

Defendants.

CASE NO. 3:09-CV-68-DSC

ORDER

THIS MATTER is before the Court on Defendants' Motion in Limine (Doc. No. 24). Given that the aforementioned Motion has been consented to by counsel for all parties and that the Court is of the opinion that said Motion in Limine should be allowed, the Court will grant the Defendants' Motion.

IT IS, THEREFORE, ORDERED that:

1. Evidence that the Defendants, or any of them, have or had in effect at the time of the loss that is the subject of this case, liability insurance is excluded from the trial of this matter;
2. Plaintiff's counsel and any witnesses offered by the Plaintiff are prohibited from testifying regarding or making mention of in the presence of the jury, the existence and/or availability of liability insurance coverage as to the Defendants in this action.

3. Plaintiff's counsel and any witnesses offered by the Plaintiff are not, in the presence of the jury, to refer in any manner to insurance nor convey to the jury that any entity other than the Defendants is responsible for or in any way will pay a Judgment rendered herein.

SO ORDERED.

Signed: January 20, 2011



David S. Cayer
United States Magistrate Judge

